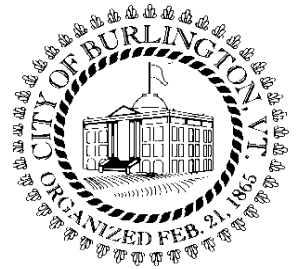


## Department of Permitting and Inspections

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## MEMORANDUM

**To:** The Design Advisory Board  
**From:** Ryan Morrison, Associate Planner  
**RE:** ZP20-0971CA/CU; 362 South Union Street  
**Date:** July 14, 2020

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**File:** 20-0971CA/CU  
**Location:** 362 South Union Street  
**Zone:** RL **Ward:** 6S  
**Parking District:** Neighborhood  
**Date application accepted:** June 9, 2020  
**Applicant / Owner:** William Fellows / William Fellows & Tshen Shue  
**Request:** Demolish existing garage and replace with a new garage and attached accessory dwelling unit.

### Background:

- **Zoning Permit 14-0010LL;** lot line adjustment with 368 S Union Street. July 2013.
- **Non-Applicability of Zoning Permit 14-0656NA;** interior kitchen remodel. December 2013.
- **Zoning Permit 19-0346CA;** replacement windows. October 2018.

**Overview:** The applicant proposes demolishing a damaged/structurally unsound garage and replacing it with a new 2-car, 2-story garage and an attached 2-story guest house. The garage is included in the property's listing in the South Union Street Historic District (national registry). The listing notes the garage as *'a square, clapboard sided, one story, two bay garage with a hip roof, two shuttered windows on the west and east facades and a small brick exterior chimney on the north façade, is located northeast of the main house. The roof is wood shingled, and has a broad gable above the garage doors on the south elevation. Each bay has a pair of hinged wooden doors.'* The principal structure on the property, a single family residence constructed c. 1900, will remain as-is – no changes are proposed. Additionally, a garden house, c. 1935, also exists further back on the property.

The applicant has provided photos which show the deteriorated state of the garage. The applicant bought the property in June, 2018 and states that the garage was in its deteriorated state then. The existing garage is within the minimum 5 ft side yard setback requirement with a setback of 2.3 ft. The proposal is to replace the garage with one of the same width and the same setback. Sec. 5.3.5 (a) allows for a nonconforming accessory structure (setback) to be rebuilt to the existing setback as long as the replacement does not increase the nonconformity. This section continues – *'Existing accessory buildings of 15 feet in height or less shall not exceed 15*

*feet tall as expanded.* The existing garage is no taller than 15 ft in height. At the time of this report, the proposed garage replacement maintains the same footprint, but increases in height to approximately 24 ft. This is in conflict with Sec. 5.3.5 (a). The applicant has been informed of this and intends to redesign the upper floor of the garage in a manner so that it complies with the side yard setback. It is assumed that the footprint of the garage/1<sup>st</sup> level will remain as proposed, and the north wall of the 2<sup>nd</sup> level (art studio space) will shift in, approximately 3-4 ft, so that it meets the minimum side yard setback requirement. The applicant state that revised plans will be prepared in time for the July 14, 2020 DAB meeting.

The attached accessory dwelling unit portion of the structure is shifted in, in a manner to comply with the minimum side yard setback. The ADU portion will be 2 stories, with a bedroom, dressing/study room and bathroom on the second floor, and a kitchen, bathroom and living space on the first floor. An attached patio and pool are proposed on the south side of the ADU.

The existing shared driveway will be repaved, and the footprint will be slightly altered to make vehicular access to the garage easier.

#### **Part 1: Land Division Design Standards**

No land division is proposed as part of this application. Not applicable.

#### **Part 2: Site Plan Design Standards**

##### **Sec. 6.2.2 Review Standards**

##### **(a)Protection of Important Natural Features:**

There are a few mature trees that line the north property line. The site plan indicates that there may be two (6" and 10" diameter) trees that will be removed to make way for the ADU structure.

##### **(b) Topographical Alterations:**

No topographical alterations are defined within the project application.

##### **(c) Protection of Important Public Views:**

There are no protected important views from or through this property. Not applicable.

##### **(d) Protection of Important Cultural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).*

See Section 5.4.8, below.

##### **(e) Supporting the Use of Renewable Energy Resources:**

No part of this application precludes the use of wind, solar, water, geothermal or other renewable energy resource.

**(f) Brownfield Sites:**

This address is not listed on the Vermont DEC website for identified Brownfields.

**(g) Provide for nature's events:**

*Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.*

*Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.*

The applicant has provided an Erosion Prevention and Sediment Control Plan for review by the Stormwater engineering program. Their review and written approval will be a condition of any permit.

The elevation drawings do not indicate the presence of a canopy/shelter from inclement weather. Aside from the two garage doors, there are three man doors providing access/egress from the structure. One door is on the west façade (the garage side), one is between the garage and the ADU accessing the foyer (south elevation) which primarily appears to serve the ADU, and the third door is also on the south elevation providing direct access to the attached patio. While there is a balcony above one of the garage doors, there appears to not be cover for any of the three man doors. A canopy or roof shelter is recommended for each door.

**(h) Building Location and Orientation:**

The replacement garage is in a pre-existing location on the site, and the new ADU portion will extend to the east off the garage. Overall, the new/replacement structure will be located behind the principle structure.

**(i) Vehicular Access:**

Access will remain as existing, from South Union Street via a driveway that is shared with 368 South Union St.

**(j) Pedestrian Access:**

Pedestrian access between the primary structure and the South Union St. sidewalk will remain. The site plan indicates a new walkway between the replacement garage and the primary structure. While the zoning ordinance requires no additional parking space for ADUs, it is assumed that the ADU will use one of the parking spaces in the garage while the habitants of the main residence can tandem park (one space in the garage and one space behind the garage space in the driveway. Either way, there is adequate space to provide three parking spaces in and in front of the garage.

**(k) Accessibility for the Handicapped:**

The building inspector has jurisdiction over ADA requirements. By his direction and per Chapter 8 of the Burlington Code of Ordinances, 4 to 14 units must provide 1 accessible unit.

**(l) Parking and Circulation:**

Within the Neighborhood Parking District, 2 parking spaces are required for each residential unit, and ADUs require no additional parking spaces. The two-car garage alone satisfies this requirement. And it should be noted that there is adequate room in front of the garage to provide parking spaces, should a tandem situation be desired for the primary single family residence.

**(m) Landscaping and Fences:**

The proposed site plan shows a ‘planted area’ around the new/replacement structure. Specific plantings are unknown, but it is speculated that this simply means lawn. No shrubs, trees, or similar plantings are indicated on the plans and there should be. Fencing is also absent from the plan.

**(n) Public Plazas and Open Space:**

There are no public plazas required, but the site plan illustrates areas for resident outdoor enjoyment.

**(o) Outdoor Lighting:**

*Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.*

No lighting information has been provided, and is required. The elevation drawings do not include exterior light fixtures. Fixture information and illumination levels are required, and the elevation drawings need to be revised to include exterior light fixture locations.

**(p) Integrate infrastructure into the design:**

*Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.*

*Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be place underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.*

*Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.*

The location of a mailbox, utility connection, meter, and mechanical equipment must be identified on the site plan and building elevations as appropriate. All electrical service to the new building shall be underground.

## **Part 3: Architectural Design Standards**

### **Sec. 6.3.2 Review Standards**

#### **(a) Relate development to its environment:**

##### ***1. Massing, Height and Scale:***

The existing garage is one story tall. The replacement garage is proposed at two stories, as well as is the attached ADU structure. While the massing, height and scale will increase dramatically, the structure is located behind the principle single family home and will not be easily seen from the street. It will be visible from adjacent properties. The proposed addition of this detached accessory structure will not conflict with the massing, height or scale of the existing principal dwelling.

##### ***2. Roofs and Rooflines.***

The existing garage has a gable roof, and the applicant proposes a two-way slanted roof for the new structure. The roof will slant downward in a west-east manner over the garage, and then slant upward in the same west-east manner over the ADU portion. This roof type appears to be unique to those on other accessory buildings in the area, however, because it will be particularly difficult to see from the public street, it won't have a negative impact on the roofline appearance of the many existing homes along South Union Street.

##### ***3. Building Openings***

There are a variety of building openings proposed on the new structure, with a mix of fixed, casement and awning windows. The garage portion of the structure will see a mix of fixed, awning and casement windows. On the rear façade (north), small awning windows will provide some natural sunlight into the garage and upper floor. On the west side, an awning and casement window is proposed, along with a row of fixed windows just below the roof line. This side also contains a man-door providing access to the garage. The 'front' of the garage portion (south) will have two garage doors at the ground level, and at the upper story level, there is one window proposed and a sliding door providing access to the balcony.

The building connector will have an almost entirely glazed front (south), containing the entrance door and fixed windows on the first and second levels.

A mixture of fixed and casement windows are proposed on the ADU portion. Large picture windows are proposed and will provide ample sunlight into the living and sleeping areas on the first and second floors. Additionally, one door on the south side will be installed providing direct access to the patio.

**(b) Protection of Important Architectural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.*

See Section 5.4.8, below.

**(c) Protection of Important Public Views:**

There are no protected important views from this property. Not applicable.

**(d) Provide an active and inviting street edge:**

No changes are included for the principal building.

**(e) Quality of materials:**

*All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.*

The new building is proposed to with wood clapboard siding. Roofing will be formed metal. Windows will be aluminum clad wood windows. The material for the patio has not been provided and will need to be.

**(f) Reduce energy utilization:**

All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

**(g) Make advertising features complementary to the site:**

Any signage will require a separate zoning permit.

**(h) Integrate infrastructure into the building design:**

See Section 6.2.2. (p), above.

**(i) Make spaces secure and safe:**

Redevelopment is subject to all applicable building and life safety codes as defined by the Burlington's Building Inspector and the Fire Marshal.

#### **Sec. 5.4.8 Historic Buildings and Sites**

*The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:*

- *To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;*
- *To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;*
- *To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,*
- *To promote the adaptive re-use of historic buildings and sites.*

#### **(a)Applicability:**

*These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.*

*As such, a building or site may be found to be eligible for listing on the state or national register of historic places and subject to the provisions of this section if all of the following conditions are present:*

1. *The building is 50 years old or older;*
2. *The building or site is deemed to possess significance in illustrating or interpreting the heritage of the City, state or nation in history, architecture, archeology, technology and culture because one or more of the following conditions is present:*
  - A. *Association with events that have made a significant contribution to the broad patterns of history; or,*
  - B. *Association with the lives of persons significant in the past; or,*
  - C. *Embodiment of distinctive characteristics of a type, period, or method of construction, or representation of the work of a master, or possession of high artistic values, or representation of a significant or distinguishable entity whose components may lack individual distinction; or,*
  - D. *Maintenance of an exceptionally high degree of integrity, original site orientation and virtually all character defining elements intact; or,*
  - E. *Yielding, or may be likely to yield, information important to prehistory; and,*
3. *The building or site possess a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association*

The garage at 362 South Union Street is listed as historic on the South Union Street Historic District National Register. See attached listing sheet. Therefore, the standards of Section 5.4.8 apply to the garage.

**(b) Standards and Guidelines:**

*The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.*

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The garage was traditionally used as an accessory structure to the primary dwelling. Conversion to residential use has been successful in other applications, with some allowances for alteration. In this instance, a garage use will remain, and an additional story for personal studio space will be added as a second floor. However, the historic appearance of the existing garage will be lost with the new proposal. If the DAB agrees that the garage is beyond repair and that a complete tear-down is warranted, then this historic element will be lost entirely, which would then warrant a replacement structure to be constructed.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

While not easily visible from the street, the proposal will result in the entire loss of a historical accessory structure. The applicant has provided photos showing the damage to the garage and how it is structurally unfit for continued use. If the DAB and the DRB (Development Review Board) agree that the structure is beyond repair, then this historic structure will be lost.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The proposal involves the construction of a new structure that will not maintain consistency with the existing garage. However, it will be similar in size and style to that of a new garage that was permitted around the corner at 129 Spruce Street that is quite visible from the public street.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The proposal involves removing the historic garage. If the DAB and DRB agree that it is beyond repair, then such a change will be acceptable.



5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

While the proposed structure will have a different appearance from the original garage, it will maintain the use of wood clapboard siding.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

The application proposes a full demolition of the existing garage. The applicant states that the garage is damaged and has been structurally unfit for repairs. Photos submitted show the damage, both inside and out. In accordance with subsection 'd' below, an assessment from a professional is required to verify its condition and if a full demo is necessary.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

No chemical or physical treatments are proposed. Not applicable.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no identified archaeological resources at this location. Not applicable.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The new structure will not detract from the property's historic appearance as viewed from the street. The existing garage is nearly impossible to see from the street, so its removal won't be easily noticed. With the exception of the siding, the proposed replacement structure will differentiate in architectural appearance from the historic principle home.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

The proposal involves an entirely new structure. It is understood that if it were to be removed in the future, the remaining form and integrity of the historic property (principle home and garden structure in the rear) would not be impaired.

**(c) Demolition by Neglect:**

*No owner of a historic building, or lessee who is obligated by lease to maintain and repair such a structure (other than the interior), shall allow, cause, or permit the structure to suffer or experience demolition by neglect. Examples of such disrepair and deterioration include, but are not limited to, the following:*

- 1. Deterioration of walls or other vertical supports; walls, partitions or vertical supports that split, lean, list, or buckle, thus jeopardizing structural integrity;*
- 2. Deterioration or inadequate foundations that jeopardize structural integrity;*
- 3. Deterioration of roofs, ceilings, or other horizontal members;*
- 4. Deterioration of fireplaces or chimneys;*
- 5. Deterioration or crumbling exterior stucco or mortar;*
- 6. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors;*
- 7. Lack of weather protection that jeopardizes the structural integrity of walls, roofs, plumbing, electricity, or overall structural integrity, including lack of paint, lack of adequate heating, and lack of adequate ventilation;*
- 8. Vandalism caused by lack of reasonable security precautions; and/or*
- 9. Deterioration of any feature so as to create a hazardous condition that could require demolition for public safety.*

*In such cases, the building inspector shall notify the property owner of any violation of this section. Such person shall have sixty (60) days to remedy any such violation. In the event the violation is not corrected within sixty (60) days of notification, the city shall be authorized to perform all repairs necessary to correct the violation and to place a lien on the property for the costs of such repairs and reasonable administrative and legal fees incurred.*

Per the photos submitted, it is clear that previous owners had failed to properly maintain the garage structure. The current owners purchased the property in June, 2018, and it would be difficult to determine just how far back in time the extent to which the garage had deteriorated by the time the property was transferred.

**(d) Demolition of Historic Buildings:**

*The purpose of this subsection is:*

- To discourage the demolition of a historic building, and allow full consideration of alternatives to demolition, including rehabilitation, adaptive reuse, resale, or relocation;*
- Provide a procedure and criteria regarding the consideration of a proposal for the demolition of a historic building; and*
- To ensure that the community is compensated for the permanent loss of a historic resource by a redevelopment of clear and substantial benefit to the community, region, or state.*

**1. Application for Demolition**

*For demolition applications involving a historic building, the applicant shall submit the following materials in addition to the submission requirements specified in Art. 3:*

- A. *A report from a licensed engineer or architect who is experienced in rehabilitation of historic structures regarding the soundness of the structure and its suitability for rehabilitation;*

No such report has been submitted and should be in order for the DRB to consider the garage demolition. Photos submitted clearly show rotten/damaged siding and trim, interior wall and ceiling damage, and a cracked foundation. The image of the foundation alone on the garage's south side appears quite significant.

- B. *A statement addressing compliance with each applicable review standard for demolition;*

The application clearly intends for a complete reconstruction of the garage and additional living space for an ADU. While the applicant hasn't included in the application considerations for alternatives to demolition (rehabilitation, adaptive reuse, resale, or relocation), it appears that the most of the structure may not be salvageable due to rotten materials and a faulty foundation.

- C. *Where a case for economic hardship is claimed, an economic feasibility report prepared by an architect, developer, or appraiser, or other person experienced in the rehabilitation and adaptive reuse of historic structures that addressed:*

- (i) *the estimated market value of the property on which the structure lies, both before and after demolition or removal; and*
- (ii) *the feasibility of rehabilitation or reuse of the structure proposed for demolition or partial demolition;*

There is no claim for economic hardship.

- D. *A redevelopment plan for the site, and a statement of the effect of the proposed redevelopment on the architectural and historical qualities of other structures and the character of the neighborhood around the sites; and*

The application includes a plan for the redevelopment of the garage, while not affecting the other two listed historical structures on the property – the primary home at the front and the garden house in the rear.

- E. *Elevations, drawings, plans, statements, and other materials which satisfy the submission requirements specified in Art. 3, for any replacement structure or structures to be erected or constructed pursuant to a development plan.*

These materials are included in the application.

## **2. Standards for Review of Demolition**

*Demolition of a historic structure shall only be approved by the DRB pursuant to the provisions of Art. 3, Part 5 for Conditional Use Review and in accordance with the following standards:*

- A. *The structure proposed for demolition is structurally unsound despite ongoing efforts by the owner to properly maintain the structure; or*

Although there is no professional analysis provided that addresses the soundness of the garage, photos submitted indicate that it may be beyond simple maintenance efforts to maintain. Specifically, the foundation on the south wall appears to be significantly cracked, and much of the walls (exterior and interior) appear to be significantly damaged/rotten. Since the current owners purchased the property only two years ago, it seems that they ‘adopted’ a dilapidated historic garage.

- B. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property in conformance with the intent and requirements of the underlying zoning district; and, the structure cannot be practicably moved to another site within the district; or*

Even short of a professional analysis from an engineer or architect, the majority of the garage materials appear to be damaged/rotten beyond the point of reuse.

- C. The proposed redevelopment of the site will provide a substantial community-wide benefit that outweighs the historic or architectural significance of the building proposed for demolition.*

The redevelopment of the garage and additional ADU portion won’t necessarily provide a community-wide benefit since it is for personal use and will be almost unseen from the street. The main point the applicants are trying to make is that the existing garage is damaged enough to warrant its demolition.

*And all of the following:*

- D. The demolition and redevelopment proposal mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and adjacent properties;*

The other two historic structures on the property (the home and the rear garden house) will remain as-is. While the garage can be seen from adjacent properties, it, as well as the garden house, are difficult to see, if at all, from the public street.

- E. All historically and architecturally important design, features, construction techniques, examples of craftsmanship and materials have been properly documented using the applicable standards of the Historic American Building Survey (HABS) and made available to historians, architectural historians and others interested in Burlington’s architectural history; and*

The existing garage is documented in the South Union Street Historic District (National Listing), and photos are included with this application.

- F. The applicant has agreed to redevelop the site after demolition pursuant to an approved redevelopment plan which provides for a replacement structure(s).*

- (i) Such a plan shall be compatible with the historic integrity and enhances the architectural character of the immediate area, neighborhood, and district;*

The proposed replacement structure varies from the previous appearance, and may likely vary from other accessory structures in the immediate area. One such exception to this would be the recently approved garage at 129

Spruce Street that is completely new, and unique to the architectural stylings of similar accessory structures in the neighborhood.

- (ii) *Such plans must include an acceptable timetable and guarantees which may include performance bonds/letters of credit for demolition and completion of the project; and*

The application includes a complete redevelopment; however no such timetable has been provided by the applicant. What is relevant here is that construction must commence within one year from the date of zoning permit issuance. Once that requirement has been met, the zoning permit is active for an additional 2 years (3 years total) in order to complete the project.

- (iii) *The time between demolition and commencement of new construction generally shall not exceed six (6) months.*

See above. In order to keep the zoning permit effective, construction must start within a year of zoning permit approval.

*This requirement may be waived if the applicant agrees to deed restrict the property to provide for open space or recreational uses where such a restriction constitutes a greater benefit to the community than the property's redevelopment.*

The private property is in a developed residential neighborhood. This would not be likely.

### **3. Deconstruction: Salvage and Reuse of Historic Building Materials**

*The applicant shall be encouraged to sell or reclaim a structure and all historic building materials, or permit others to salvage them and to provide an opportunity for others to purchase or reclaim the building or its materials for future use. An applicant may be required to advertise the availability of the structure and materials for sale or salvage in a local newspaper on at least three (3) occasions prior to demolition.*

This should be applied to the applicant.

#### **Items for the Board's consideration:**

- Do the photos submitted provide enough evidence to determine that the existing garage is structurally unfit and eligible for demolition? If not, the applicant should hire a professional to provide an analysis of the garage's structural stability, and to discuss whether or not complete rehabilitation is warranted.
- The second story of the garage will need to be redesigned so that the north wall complies with the minimum side yard setback requirement. This will likely require shifting the north wall inward to achieve compliance.
- The applicant needs to demonstrate that the ADU portion complies with the requirement of Sec. 5.4.5 (a) (2) – in that it does not consist of more than 800 sf, or 30% of the gross floor area of the principal home, whichever is greater.
- Specific landscaping should be incorporated onto the site plan.
- A roof canopy is recommended over each man door to provide shelter from the weather.

- All exterior light fixtures need to be included on revised elevation drawings, and manufacturer spec sheets provided to staff to ensure compliance with Sec. 5.5.2 CDO.
- The location of mailboxes, meters, utility connections and mechanical equipment are required to be identified and illustrated on the site plan and building elevation as appropriate.
- Electrical service shall be undergrounded.
- The material for the patio shall be provided.